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TOWNSEND and TOWNSEND and CREW LLP

By: 

Tiffany Wu

PATENT  
Attorney Docket No.: 019433-001600US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

David R. MILLER et al.

Application No.: 10/825,961

Filed: April 16, 2004

For: SPINAL DIAGNOSTIC METHODS  
AND APPARATUS

Confirmation No.: 8211

Examiner: BOUCHELLE, LAURA A.

Art Unit: 3763

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER  
37 CFR §1.97 and §1.98

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are not enclosed.

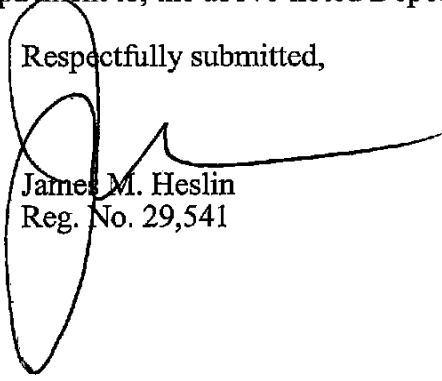
It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or  
Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please  
deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
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Substitute for form 1449A&B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/825,961
				Filing Date	April 16, 2004
				First Named Inventor	Miller et al.
				Art Unit	3763
				Examiner Name	BOUCHELLE, LAURA A.
Sheet	1	of	1	Attorney Docket Number	019433-001600US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	3,190,291	06-22-1965	Foley	
	2	4,419,095	12-06-1983	Nebergall, et al.	
	3	4,543,087	09-24-1985	Sommercorn, et al.	
	4	4,684,363	08-04-1987	Ari et al.	
	5	4,782,834	11-08-1988	Maguire et al.	
	6	4,919,651	04-24-1990	Doane	
	7	4,964,853	10-23-1990	Sugiyama et al.	
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	11	2004/0220545	11-04-2004	Heruth et al.	
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	14	2005/0245938	11-03-2005	Kochan	
	15	2005/0246023	11-03-2005	Yeung	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>6</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	T <sup>2</sup>
			<input type="checkbox"/>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.